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4 BILL NO. S-76-09-16

5 SPECIAL ORDINANCE NO. S-158-76

6 AN ORDINANCE approving a contract
7 with Continental Construction Co.,
8 Inc., for improvement of Kensington
9 Boulevard Parkstrip Curbs and
Wingwalks between Columbia and
Lake Avenues.

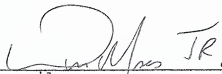
10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
11 FORT WAYNE, INDIANA:

12 SECTION 1. That the contract dated August 30,
13 1976, between the City of Fort Wayne, by and through its Mayor
14 and the Board of Public Works and Continental Construction Co.,
15 Inc., for:

16 Construction curbs, two feet of deteriorated
17 pavement around the Center Island Parkstrip
18 on Kensington Boulevard between Lake and
Columbia Avenues as well as partial replacement
of five corner wingwalks.

19 for a total cost of \$17,716.60, all as more particularly set
20 forth in said contract which is on file in the Office of the
21 Board of Public Works and is by reference incorporated herein,
22 made a part hereof and is hereby in all things ratified, con-
23 firmed and approved.

24 SECTION 2. This Ordinance shall be in full force
25 and effect from and after its passage and approval by the Mayor.

26
27 
28 Councilman

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34 APPROVED AS TO FORM
AND LEGALITY,
35 
CITY ATTORNEY

Read the first time in full and in motion by Moses, seconded by Angie, and duly adopted. read the second time by title and referred to the Committee on Public Parks (and the City Plan Commission for Recommendation) and Public Hearing to be held after due local notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 9-14-76

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Angie, and duly adopted, placed on its passage. Passed (YES) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-VOTE
TOTAL VOTES	<u>8</u>			<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
RUCKOLDS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER				<u>X</u>	
TALARICO	<u>X</u>				

DATE: 9-28-76

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution), No. 158-76 on the 28th day of Sept, 1976.

Charles W. Westerman
CITY CLERK

(SEAL)

James Stier
PRESIDING OFFICER

Presented to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of Sept, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 1st day of October, 1976, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong

Bill No. S-76-09-16

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving a contract with Continental Construction Co., Inc.,
for improvement of Kensington Boulevard Parkstrip Curbs and Wingwalks
between Columbia and Lake Avenues

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

Winfield C. Moses, Jr. - Chairman

Donald J. Schmidt - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

W. T. Hinga

D. J. Schmidt

Vivian G. Schmidt

Paul M. Burns

William T. Hinga

92876
DATE CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

PROJECT Kensington Blvd: S/P/L Lake Ave. to No. Curb Line Columbia Avenue BID ANA

DATE 6-30-76 RES. NO. 5716-1976

MATERIAL

CONTRACTORS			ESTIMATE	EXTENSION	John Dehner, Inc.		L. W. Dailey, Inc.		Brooks Construction Company, Inc.		Hipskind Asphalt Corp.	
STREETS — ALLEYS — SIDEWALKS	QUANT. UNIT	MATERIAL			UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID	UNIT BID	TOTAL BID
1.275	L.F.	New Combination Curb & Gutter (In Place) (Excavation & 3" #73 Stone Base included	8.00	10,200.00	8.50	10,837.50	8.30	10,582.50	8.55	10,901.25	7.90	11,072.50
273	S.Y.	Pavement Removal (including Sawing of Old Pavement)	6.00	1,638.00	4.50	1,228.50	4.00	1,092.00	4.00	1,092.00	5.00	1,365.00
95	Ton	#4 Hot Asphalt Binder	50.00	4,750.00	30.00	2,850.00	25.00	2,375.00	30.00	2,850.00	30.00	3,830.00
30	Ton	State "B" Hot Asphalt	50.00	1,500.00	40.00	1,200.00	25.00	750.00	30.00	900.00	30.00	920.00
27	S.Y.	Sidewalk Removal	5.00	135.00	3.50	94.50	4.50	121.50	2.00	54.00	5.00	135.00
334	S.F.	New Curbface Walk	1.50	501.00	1.60	534.40	1.50	501.00	1.65	551.10	2.50	825.00
709	S.Y.	Fine Grading, Seeding & Mulch	2.00	1,418.00	1.90	1,347.10	2.50	1,772.50	1.00	709.00	1.50	1,063.50
200	Ton	Top Soil	10.00	2,000.00	6.60	1,320.00	6.00	1,200.00	10.00	2,000.00	8.00	1,600.00
		Total		\$22,142.00		\$19,412.00		\$18,394.50		\$19,057.35		\$13,821.00

OFFICE OF CITY ENGINEER
FORT WAYNE INDIANA

[illegible]

Rieth-Riley		Continental Construction Company, Inc.	
UNIT BID	TOTAL BID	UNIT BID	TOTAL BID
5.60	7,140.00	7.40	9,435.00
20.00	5,460.00	4.50	1,228.50
25.00	2,375.00	33.00	3,135.00
28.00	840.00	44.00	1,320.00
7.00	189.00	4.50	121.50
1.30	434.20	1.40	467.60
0.85	602.65	1.00	709.00
6.85	1,370.00	6.50	1,300.00
	\$18,410.85		\$17,716.60

63-252-6 9/5/76

CITY PAID
SUBJECT TO COUNCILMANIC APPROVAL
PRELIMINARY MEETING _____
RATIFICATION _____**CONTRACT**This Agreement, made and entered into this 30 day of August, 1976

by and between _____

-----CONTINENTAL CONSTRUCTION COMPANY, INC.-----

hereinafter called "Contractor" and the City of Fort Wayne, Indiana, a municipal corporation, hereinafter called "City," under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto, WITNESSETH: That the Contractor covenants and agrees to improve

Resolution No. 5716-1976: Kensington Boulevard: from the south property
line of Lake Avenue to the north curb line of Columbia Avenue with curbs around
the Center Island Parkstrip, including replacement of the two (2) feet of
deteriorated pavement adjacent thereto, and partial replacement of five (5)
corner wingwalks.

by grading and paving the roadway to a width of XXXXXXXXXXXX feet with XXXXXXXXXXXX

XX

upon a foundation and with curbing as fully set out in the specifications hereinafter referred to, in a good and workmanlike manner and to the entire satisfaction of said City, in accordance with Improve-

ment Resolution No. 5716-76 ~~and at the following price per lineal foot~~

At the following prices:

New Combination Curb & Gutter (Excavation and 3" #73 Stone Base Included)	Seven dollars and forty cents, per lineal foot	7.40
Pavement Removal (including Sawing of Old Pavement)	Four dollars and fifty cents, per square yard	4.50
#4 Hot Asphalt Binder	Thirty-three dollars and no cents, per ton	33.00
S State "B" Hot Asphalt	Forty-four dollars and no cents, per ton	44.00
Sidewalk Removal	Four dollars and fifty cents, per square yard	4.50
New Curbface Walk	One dollar and forty cents, per square foot	1.40
Fine Grading, Seeding and Mulch	One dollar and no cents, per square yard	1.00
Top Soil	Six dollars and fifty cents, per ton	6.50

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes, Volume IV). (Section 40-1214 Burns Annotated 1952 Revision - Volume VIII).

A copy of General Ordinance No. C-60-66, concerning discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

GUARANTY BOND

Know All Men by These Presents, That we -----

-----CONTINENTAL CONSTRUCTION COMPANY, INC.-----Contractors

as principal, and -----

-----AMERICAN STATES INSURANCE COMPANY OF INDIANAPOLIS, INDIANA -----as surety

are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of SEVENTEEN THOUSAND,

SEVEN HUNDRED SIXTEEN DOLLARS AND SIXTY CENTS-----

-----(\$17,716.60)

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

The conditions of the above obligation are, that whereas the said -----

-----CONTINENTAL CONSTRUCTION COMPANY, INC.-----

did on the ----- day of -----

-----, enter into a contract with the City of Fort Wayne to construct a

Pavement

on Kensington Boulevard ----- Street from the south property line of Lake

Avenue to the north curb line of Columbia Avenue with curbs around the Center

Island Parkstrip, including replacement of the two (2) feet of deteriorated

pavement adjacent thereto, and partial replacement of five (5) corner wingwalks.

----- according to certain plans and specifications, and

also warranting and guaranteeing the work/for a period of three years material and condition of the pavement thereof as provided

in aforesaid contract and specifications. Now if the said -----

CONTINENTAL CONSTRUCTION COMPANY, INC. ----- shall faithfully perform and fulfill all the require-

ments of said warranty and guaranty, and make all repairs required under said guarantee, and in the manner provided for, then this bond to be null and void, otherwise to be in full force and effect.

WITNESS our hands and seals this ----- day of -----

AMERICAN STATES INSURANCE COMPANY

CONTINENTAL CONSTRUCTION CO., INC. (SEAL)

Marilyn D. Alber
MARILYN D. ALBER - ATTORNEY-IN-FACT

BY: M. J. O'Neil (SEAL)

ITS: President (SEAL)

Approved this 30 day of August, 1976

Ed H. Loman
May G. Scott
Board of Public Works.

LIABILITY BOND

Known All Men by These Presents, That we -----

-----CONTINENTAL CONSTRUCTION COMPANY, INC.-----

as principal, and-----AMERICAN STATES INSURANCE COMPANY OF INDIANAPOLIS, INDIANA-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of SEVENTEEN

THOUSAND, SEVEN HUNDRED SIXTEEN DOLLARS AND SIXTY CENTS-----

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

----- (\$17,716.60)

The conditions of the above obligation are such, that if the above named party of the first part shall faithfully comply with the foregoing contract made and entered into the -----

day of -----, with the City of Fort Wayne, Indiana, and shall faithfully fulfill all the conditions and stipulations therein contained, except the warranty and guaranty of the pavement as to the workmanship, material and conditions for the period of three (3) years, according to the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law and in the event the said City shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

WITNESS our hands and seals this ----- day of -----

AMERICAN STATES INSURANCE COMPANY

Marilyn D. Alber
MARILYN D. ALBER - ATTORNEY-IN-FACT

CONTINENTAL CONSTRUCTION CO., INC. (SEAL)

BY: N. J. O'Neal (SEAL)

ITS: President (SEAL)

(SEAL)

Approved this 30 day of August, 1976

Edward H. Loman

May G. Scott

Board of Public Works.

COMPLETED IN STREET ENGINEERING DEPARTMENT

JULY 13, 1976

TITLE OF ORDINANCE SPECIAL ORDINANCE - Contract of Continental Construction Co., Inc.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE Contract with Continental Construction Co. in amount of

\$17,716.60 provides for construction curbs, two feet of deteriorated pavement

around the Center Island Parkstrip on Kensington Boulevard between Lake and

Columbia Avenues as well as partial replacement of five corner wingwalks.

This was the low bid of six submitted. See attached tabulation.

EFFECT OF PASSAGE Much needed improvement as requested by the property owners

EFFECT OF NON-PASSAGE No improvement

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Cost to City of \$17,716.60

ASSIGNED TO COMMITTEE

Public Works Section